IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 407 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE A.M.KAPADIA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KANTIBHAI JETHABHAI PATEL & 3 - Applicant(s)

Versus

MANILAL BHIKHABHAI PATEL & 1 - Opponent(s)

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Appearance :

MR GIRISH D BHATT for Petitioner No(s).: 1,2,3,4.

MR SHITAL R PATEL for Respondent No(s).: 1.

Ms. Archna Raval AGP for Respondent No(s).: 2.

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CORAM : HON'BLE MR.JUSTICE A.M.KAPADIA

Date : 20/07/2005

ORAL JUDGMENT

1. Having heard Mr. G.D. Bhatt, learned advocate for the petitioners, Mr. Shital R. Patel, learned advocate for respondent No.1 and Ms. Archna Raval, learned AGP for respondent No.2, and in view of the fact that this Civil Revision Application is filed against an

interlocutory order passed by the Mamlatdar under Section 5 of the Mamlatdar's Court's Act, 1906 which has been affirmed by the Assistant Collector in Revision Application, this revision application is not maintainable in view of the amendment made in Section 115 of the Code of Civil Procedure. Hence, the revision application is rejected with no order as to costs. Rule is discharged. Interim relief, if any, granted earlier, stands vacated.

(A.M. Kapadia, J.)

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